

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC.,
et al.

Plaintiffs,

v.

MORGAN STANLEY & CO., INC.,
et al.

Defendants.

CIVIL ACTION NUMBER:
1:10-CV-03108-JEC

**DEFENDANT MERRILL LYNCH PROFESSIONAL CLEARING CORP.'S
NOTICE OF MANUAL FILING UNDER SEAL**

Pursuant to the Stipulation and Protective Order Regarding Confidential Information jointly submitted by the parties to the State Court of Fulton County, Georgia, on August 27, 2009, and approved by the State Court on April 15, 2010 (the "Protective Order"), Defendant Merrill Lynch Professional Clearing Corp. ("Merrill Pro") hereby gives notice of the manual filing under seal of MERRILL LYNCH PROFESSIONAL CLEARING CORP.'S OPPOSITION TO PLAINTIFFS' MOTION FOR LEAVE TO FILE A SUR-REPLY AND TO STRIKE THE REPLY DECLARATIONS OF BRAD M. ELIAS AND PETER

MELZ and EXHIBIT NOS. 1 THROUGH 5 to the DECLARATION OF
CHRISTINA J. HAYES.¹

Respectfully submitted, this 11th day of February, 2011.

/s/ Dan F. Laney, III

Dan F. Laney III
Georgia Bar No. 435290
dlaney@rh-law.com

Richard H. Sinkfield
Georgia Bar No. 649100
rsinkfield@rh-law.com

ROGERS & HARDIN LLP
229 Peachtree Street, N.E.
2700 International Tower
Atlanta, Georgia 30303
Tel.: 404-522-4700
Fax: 404-525-2224

Andrew J. Frackman
New York Bar No. 1751288
afrackman@omm.com

Abby F. Rudzin
New York Bar No. 4126330
arudzin@omm.com

Brad M. Elias
New York Bar No. 4675555
belias@omm.com

¹ At the time the Protective Order was entered, Merrill Pro was not a party to this action.

Admitted Pro Hac Vice

O'MELVENY & MYERS LLP
7 Times Square
New York, New York 10036
Tel.: 212-326-2000
Fax: 212-326-2061

*Attorneys for Defendant Merrill Lynch
Professional Clearing Corp.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC.,
et al.

Plaintiffs,

v.

MORGAN STANLEY & CO., INC.,
et al.

Defendants.

CIVIL ACTION NUMBER:
1:10-CV-03108-JEC

CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2011, I caused a copy of the foregoing
DEFENDANT MERRILL LYNCH PROFESSIONAL CLEARING CORP.'S
NOTICE OF MANUAL FILING UNDER SEAL to be filed with the Clerk of
Court using the CM/ECF system, which will automatically send notification of
such filing to the following attorneys of record:

John E. Floyd, Esq.
floyd@bmelaw.com

Steven J. Rosenwasser, Esq.
rosenwasser@bmelaw.com

Nicole G. Iannarone, Esq.
iannarone@bmelaw.com

Jill A. Pryor, Esq.
pryor@bmelaw.com

Robert L. Ashe, III, Esq.
ashe@bmelaw.com

Michael A. Caplan, Esq.
caplan@bmelaw.com

Elizabeth G. Eager
eager@bmelaw.com

and that I have caused a copy to be served by U.S. Mail on the following attorneys
of record:

James W. Christian, Esq.
CHRISTIAN, SMITH & JEWELL LLP
2302 Fannin, Suite 500
Houston, TX 77002

Robert F. Wise, Jr., Esq.
Melissa Aoyagi, Esq.
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, NY 10017

Richard H. Klapper, Esq.
Richard C. Pepperman, II, Esq.
Tracy Richelle High, Esq.
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004-2498

Stephen L. Ratner, Esq.
Brian L. Friedman, Esq.
PROSKAUER ROSE LLP
1585 Broadway
New York, NY 10036

Gregory A. Markel, Esq.
Martin L. Seidel, Esq.
Peter J. Isajiw, Esq.
Heather L. Fesnak, Esq.
CADWALADER, WICKERSHAM & TAFT LLP
One World Financial Center
New York, NY 10281

Fraser L. Hunter, Jr., Esq.
WILMER CUTLER PICKERING HALE AND
DORR LLP
399 Park Avenue
New York, NY 10022

Andrew J. Frackman, Esq.
Abby Rudzin, Esq.
Brad Elias, Esq.
O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036

Andrew B. Clubok, Esq.
Jeffrey G. Landis, Esq.
Jeffrey M. Gould, Esq.
KIRKLAND & ELLIS LLP
655 Fifteenth Street, N.W.
Washington, DC 20005

/s/ Dan F. Laney, III

Dan F. Laney III
Georgia Bar No. 435290
dlaney@rh-law.com

*Attorneys for Defendant Merrill
Lynch Professional Clearing Corp.*